

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

Spectrum Laboratories, LLC,)	
)	
Plaintiff,)	Case No. 1:23-cv-00526-DRC
v.)	
)	Judge Douglas R. Cole
Bless Up, LLC et al.,)	
)	
Defendants.)	
)	

Request that Clerk Enters Default Against Naders Wholesale LLC

In accordance with Fed. Civ. R. 55(a), plaintiff Spectrum Laboratories, LLC respectfully requests that the Clerk enter default against defendant Naders Wholesale LLC (“Naders”).

Rule 55(a) states: “When a party against whom a judgment for affirmative relief is sought has failed to plead or otherwise defend, and that failure is shown by affidavit or otherwise, the clerk must enter the party’s default.” As evidenced by an Affidavit of Service (filed at ECF #7), a process server perfected service on August 28, 2023, in accordance with Fed. Civ. R. 4(h)(1)(B), by hand delivering the summons and complaint to the statutory agent for Naders, Nader Hamdan. (ECF #7.)

Fed. Civ. R. 12(a) required Naders to answer within 21 days of service of process, by September 18, 2023. To date, Naders has not moved, pleaded, or otherwise responded to the complaint. Therefore, Naders is in default, and the Clerk should enter default against Naders. After the Clerk’s entry of default, Spectrum will move the Court for an order of default judgment against Naders under Fed. Civ. R. 55(b)(2).

Respectfully submitted,

Dated: October 23, 2023

s/ Matthew J. Cavanagh

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Counsel for plaintiff

Spectrum Laboratories, LLC

CERTIFICATE OF SERVICE

I hereby certify that on this 23rd day of October 2023, I have electronically filed the foregoing with the Clerk of Court using the CM/ECF System, which will automatically serve those parties that have appeared and have registered for ECF; parties may obtain this filing from the Court's ECF/PACER system. At the same time, I have sent a copy of this motion by ordinary U.S. mail to Naders Wholesale LLC at its principal office at 205 Droxford Ct., Cincinnati, OH 45246.

s/ Matthew J. Cavanagh
One of the attorneys for
Spectrum Laboratories, LLC